

Union Calendar No. 90

108TH CONGRESS
1ST SESSION

H. R. 438

[Report No. 108–182]

To increase the amount of student loans that may be forgiven for teachers
in mathematics, science, and special education.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2003

Mr. WILSON of South Carolina (for himself, Mr. COLE, Mr. BOEHNER, Mr. McKEON, Mr. ISAKSON, Mr. GREENWOOD, Mr. SOUDER, Mr. PLATTS, Mr. TIBERI, Mr. BAKER, Mrs. WILSON of New Mexico, and Mr. GRAVES) introduced the following bill; which was referred to the Committee on Education and the Workforce

JUNE 26, 2003

Additional sponsors: Mr. SHIMKUS, Mr. KELLER, Mr. KOLBE, Mr. SIMMONS, Mr. HOBSON, Ms. GINNY BROWN-WAITE of Florida, Mr. EHLERS, Mr. PORTER, Mr. THOMAS, Mr. FATTAH, Mr. GARRETT of New Jersey, Mr. NUNES, Mr. JENKINS, Mr. BRADLEY of New Hampshire, and Ms. EDDIE BERNICE JOHNSON of Texas

JUNE 26, 2003

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 29, 2003]

A BILL

To increase the amount of student loans that may be for-

given for teachers in mathematics, science, and special education.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Teacher Recruitment*
 5 *and Retention Act of 2003”.*

6 **SEC. 2. INCREASED QUALIFIED LOAN AMOUNTS.**

7 *(a) FFEL LOANS.—Section 428J(c) of the Higher*
 8 *Education Act of 1965 (20 U.S.C. 1078–10(c)) is amended*
 9 *by adding at the end the following new paragraph:*

10 “(3) *INCREASED AMOUNTS FOR TEACHERS IN*
 11 *MATHEMATICS, SCIENCE, OR SPECIAL EDUCATION.—*

12 “(A) *SERVICE QUALIFYING FOR INCREASED*
 13 *AMOUNTS.—Notwithstanding the amount speci-*
 14 *fied in paragraph (1), the aggregate amount that*
 15 *the Secretary shall repay under this section shall*
 16 *not be more than \$17,500 in the case of—*

17 “(i) *a secondary school teacher—*

18 “(I) *who meets the requirements of*
 19 *subsection (b), subject to subparagraph*
 20 *(D) of this paragraph; and*

21 “(II) *whose qualifying employ-*
 22 *ment for purposes of such subsection*
 23 *has been teaching mathematics or*
 24 *science on a full-time basis; and*

1 “(ii) *an elementary or secondary school*
2 *teacher—*

3 “(I) *who meets the requirements of*
4 *subsection (b), subject to subparagraph*
5 *(D) of this paragraph;*

6 “(II) *whose qualifying employ-*
7 *ment for purposes of such subsection*
8 *has been as a special education teacher*
9 *whose primary responsibility is to pro-*
10 *vide special education to children with*
11 *disabilities (as those terms are defined*
12 *in section 602 of the Individuals with*
13 *Disabilities Act); and*

14 “(III) *who, as certified by the*
15 *chief administrative officer of the pub-*
16 *lic or nonprofit private elementary or*
17 *secondary school in which the borrower*
18 *is employed, is teaching children with*
19 *disabilities that correspond with the*
20 *borrower’s special education training*
21 *and has demonstrated knowledge and*
22 *teaching skills in the content areas of*
23 *the elementary or secondary school cur-*
24 *riculum that the borrower is teaching.*

1 “(B) *ACCELERATED PAYMENT.*—*Notwith-*
2 *standing the requirements of subsection (b)(1)*
3 *and paragraph (1) of this subsection that 5 con-*
4 *secutive complete years of service have been com-*
5 *pleted prior to the receipt of loan forgiveness, in*
6 *the case of service described in subparagraph (A)*
7 *of this paragraph, the Secretary shall repay a*
8 *portion of a borrower’s loan obligation out-*
9 *standing at the commencement of the qualifying*
10 *service under this subsection, not to exceed a*
11 *total of \$17,500, in the following increments:*

12 “(i) *up to \$1,750, or 10 percent of such*
13 *outstanding loan obligation, whichever is*
14 *less, at the completion of the second year of*
15 *such service;*

16 “(ii) *up to \$2,625, or 15 percent of*
17 *such outstanding loan obligation, whichever*
18 *is less, at the completion of the third year*
19 *of such service;*

20 “(iii) *up to \$4,375, or 25 percent of*
21 *such outstanding loan obligation, whichever*
22 *is less, at the completion of the fourth year*
23 *of such service; and*

24 “(iv) *up to \$8,750, or 50 percent of*
25 *such outstanding loan obligation, whichever*

1 is less, at the completion of the fifth year of
2 such service.

3 “(C) *PROMISE TO COMPLETE SERVICE RE-*
4 *QUIRED FOR ACCELERATED PAYMENT.*—Any bor-
5 rower who receives accelerated payment under
6 this paragraph shall enter into an agreement to
7 continue in the qualifying service for not less
8 than 5 consecutive complete school years, or,
9 upon a failure to complete such 5 years, to repay
10 the United States, in accordance with regula-
11 tions prescribed by the Secretary, the amount of
12 the loans repaid by the Secretary under this
13 paragraph, together with interest thereon and, to
14 the extent required in such regulations, the rea-
15 sonable costs of collection. Such regulations may
16 provide for waiver by the Secretary of such re-
17 payment obligations upon proof of economic
18 hardship as specified in such regulations.

19 “(D) *HIGHER POVERTY ENROLLMENT RE-*
20 *QUIRED.*—In order to qualify for an increased
21 repayment amount under this paragraph, section
22 465(a)(2)(A) shall, for purposes of subsection
23 (b)(1)(A) of this section, be applied by sub-
24 stituting ‘40 percent of the total enrollment’ for
25 ‘30 percent of the total enrollment’.”.

1 (b) *DIRECT LOANS.*—Section 460(c) of the Higher
 2 *Education Act of 1965 (20 U.S.C. 1087j(c)) is amended by*
 3 *adding at the end the following new paragraph:*

4 “(3) *INCREASED AMOUNTS FOR TEACHERS IN*
 5 *MATHEMATICS, SCIENCE, OR SPECIAL EDUCATION.*—

6 “(A) *SERVICE QUALIFYING FOR INCREASED*
 7 *AMOUNTS.*—Notwithstanding the amount speci-
 8 *fied in paragraph (1), the aggregate amount that*
 9 *the Secretary shall repay under this section shall*
 10 *not be more than \$17,500 in the case of—*

11 “(i) *a secondary school teacher—*

12 “(I) *who meets the requirements of*
 13 *subsection (b)(1), subject to subpara-*
 14 *graph (D) of this paragraph; and*

15 “(II) *whose qualifying employ-*
 16 *ment for purposes of such subsection*
 17 *has been teaching mathematics or*
 18 *science on a full-time basis; and*

19 “(ii) *an elementary or secondary school*
 20 *teacher—*

21 “(I) *who meets the requirements of*
 22 *subsection (b)(1), subject to subpara-*
 23 *graph (D) of this paragraph; and*

24 “(II) *whose qualifying employ-*
 25 *ment for purposes of such subsection*

1 *has been as a special education teacher*
2 *whose primary responsibility is to pro-*
3 *vide special education to children with*
4 *disabilities (as those terms are defined*
5 *in section 602 of the Individuals with*
6 *Disabilities Act); and*

7 *“(III) who, as certified by the*
8 *chief administrative officer of the pub-*
9 *lic or nonprofit private elementary or*
10 *secondary school in which the borrower*
11 *is employed, is teaching children with*
12 *disabilities that correspond with the*
13 *borrower’s special education training*
14 *and has demonstrated knowledge and*
15 *teaching skills in the content areas of*
16 *the elementary or secondary school cur-*
17 *riculum that the borrower is teaching.*

18 *“(B) ACCELERATED PAYMENT.—Notwith-*
19 *standing the requirements of subsection (b)(1)(A)*
20 *and paragraph (1) of this subsection that 5 con-*
21 *secutive complete years of service have been com-*
22 *pleted prior to the receipt of loan forgiveness, in*
23 *the case of service described in subparagraph (A)*
24 *of this paragraph, the Secretary shall repay a*
25 *portion of a borrower’s loan obligation out-*

1 *standing at the commencement of the qualifying*
2 *service under this subsection, not to exceed a*
3 *total of \$17,500, in the following increments:*

4 “(i) up to \$1,750, or 10 percent of such
5 *outstanding loan obligation, whichever is*
6 *less, at the completion of the second year of*
7 *such service;*

8 “(ii) up to \$2,625, or 15 percent of
9 *such outstanding loan obligation, whichever*
10 *is less, at the completion of the third year*
11 *of such service;*

12 “(iii) up to \$4,375, or 25 percent of
13 *such outstanding loan obligation, whichever*
14 *is less, at the completion of the fourth year*
15 *of such service; and*

16 “(iv) up to \$8,750, or 50 percent of
17 *such outstanding loan obligation, whichever*
18 *is less, at the completion of the fifth year of*
19 *such service.*

20 “(C) *PROMISE TO COMPLETE SERVICE RE-*
21 *QUIRED FOR ACCELERATED PAYMENT.—Any bor-*
22 *rower who receives accelerated payment under*
23 *this paragraph shall enter into an agreement to*
24 *continue in the qualifying service for not less*
25 *than 5 consecutive complete school years, or,*

upon a failure to complete such 5 years, to repay the United States, in accordance with regulations prescribed by the Secretary, the amount of the loans repaid by the Secretary under this paragraph, together with interest thereon and, to the extent required in such regulations, the reasonable costs of collection. Such regulations may provide for waiver by the Secretary of such repayment obligations upon proof of economic hardship as specified in such regulations.

“(D) *HIGHER POVERTY ENROLLMENT REQUIRED.*—In order to qualify for an increased repayment amount under this paragraph, section 465(a)(2)(A) shall, for purposes of subsection (b)(1)(A)(i) of this section, be applied by substituting ‘40 percent of the total enrollment’ for ‘30 percent of the total enrollment’.”.

SEC. 3. IMPLEMENTING HIGHLY QUALIFIED TEACHER REQUIREMENTS.

(a) *AMENDMENTS.*—

(1) *FFEL LOANS.*—Section 428J(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078–10(b)(1)) is amended—

(A) by inserting “and” after the semicolon at the end of subparagraph (A); and

1 (B) by striking subparagraphs (B) and (C)
2 and inserting the following:

3 “(B) if employed as an elementary or sec-
4 ondary school teacher, is highly qualified as de-
5 fined in section 9101(23) of the *Elementary Sec-*
6 *ondary Education Act of 1965; and*”.

7 (2) *DIRECT LOANS*.—Section 460(b)(1)(A) of
8 such Act (20 U.S.C. 1087j(b)(1)(A)) is amended—

9 (A) by inserting “and” after the semicolon
10 at the end of clause (i); and

11 (B) by striking clauses (ii) and (iii) and
12 inserting the following:

13 “(ii) if employed as an elementary or
14 secondary school teacher, is highly qualified
15 as defined in section 9101(23) of the *Ele-*
16 *mentary Secondary Education Act of 1965;*
17 *and*”.

18 (b) *TRANSITION RULE*.—

19 (1) *RULE*.—The amendments made by subsection
20 (a) of this section to sections 428J(b)(1) and
21 460(b)(1)(A) of the *Higher Education Act of 1965*
22 shall not be applied to disqualify any individual who,
23 before the date of enactment of this Act, commenced
24 service that met and continues to meet the require-

1 *ments of such sections as in effect before such date of*
2 *enactment.*

3 (2) *RULE NOT APPLICABLE TO INCREASED*
4 *QUALIFIED LOAN AMOUNTS.—Paragraph (1) of this*
5 *subsection shall not apply for purposes of obtaining*
6 *increased qualified loan amounts under sections*
7 *428J(b)(3) and 460(b)(3) of the Higher Education*
8 *Act of 1965 as added by section 2 of this Act.*

9 **SEC. 4. INFORMATION ON BENEFITS TO RURAL SCHOOL**
10 **DISTRICTS.**

11 *The Secretary shall—*

12 (1) *notify local educational agencies eligible to*
13 *participate in the Small Rural Achievement Program*
14 *authorized under subpart 1 of part B of title VI of*
15 *the Elementary and Secondary Education Act of*
16 *1965 of the benefits available under the amendments*
17 *made by this Act; and*

18 (2) *encourage such agencies to notify their teach-*
19 *ers of such benefits.*

Union Calendar No. 90

108TH CONGRESS
1ST SESSION

H. R. 438

[Report No. 108–182]

A BILL

To increase the amount of student loans that may
be forgiven for teachers in mathematics, science,
and special education.

JUNE 26, 2003

Reported with an amendment, committed to the Com-
mittee of the Whole House on the State of the Union,
and ordered to be printed